

**Item #2:** Applicant acknowledges the restrictions to independent claims 128, 134, 144, and 155.

**REMARKS RE: RESPONSE TO ARGUMENTS**

**Item #3:** Applicant acknowledges that, with respect to claims 52 and 78 (corresponding to new claims 164 and 167), the arguments presented in the Response to the Office Action (filed 9 June 2004) have been found by the Examiner to be persuasive -- in particular, the arguments previously presented by applicant in sections 4, 5, and 7 (Pages 39-40).

**REMARKS RE: CLAIM OBJECTIONS**

**Item #5:** Applicant has herein amended claims 80-86, 88, 93-108, 110-113, 115-124, 125-127, and 167-169 to correct not only the cited informalities in Item #5 of the Office Action, but to also correct other informalities according to the Office Action's request that applicant review all of the claims to ensure that the limitations therein are recited with proper antecedent basis. In amending the claims, applicant has further corrected any minor grammatical irregularities resulting from amending these antecedent-based informalities.

Applicant has amended the cited informality in the preambles of dependent claims 80-86, 88, 93-108, 110-113, 115-121, 123-124, 126-127, and 168-169 so that the proper antecedent references to specific portions of the independent claims are now corrected. Where necessary, any grammatical inconsistencies or dependency issues resulting from these corrections have been amended accordingly.

The informality relating to the recitation of "a previously unknown battery-powered device" in claims 125 and 167 has herein been corrected by applicant

amending the specification to disclose this claim language (See applicant's response to Item #4 of the instant Office Action, as the sections titled "In The Specification," and "Remarks Re: Specification" herein on Pages 2-3).

In lines 3 and 4 of claim 104, applicant has changed "apparatus" to --general-purpose processor--. The term "apparatus" is not recited in claim 103, upon which claim 104 depends. Therefore, this change is required to recite the limitations with proper antecedent basis.

In line 5 of claim 104 and line 5 of claim 105, applicant has changed "powered device" to --device powered by said battery-- to recite the limitations with proper antecedent basis.

In line 4 of claim 107, applicant has changed "group" to --class--. The use of the term "group" is not expressly stated in the specification, but "class" is consistent with terminology used in the disclosure. Support for this term in the specification is found, for example, in disclosures such as:

"As technology changes occur in such powered devices as laptop computers, the representative generic template Fig. 19 represents will change. The important issue is that all laptops will change accordingly, so the purpose of a table such as that shown in Fig. 19 will still be served – to differentiate a certain class of powered devices, (e.g., laptop computers) from other classes of electronic goods (e.g., cellular phones)." (Page 73, Lines 14-19)

For purposes of clarity and to properly define the limitations of dependent claim 93 over similar claim 103, applicant has amended lines 86-88 of the claim by including the term "not" in line 86, and "but also" in line 87. These minor changes also serve to correct the awkward grammar of this clause.

Applicant has added a period (.) after several of the primary claim numbers, because this minor punctuation was omitted in the previous version.

Thus, the informalities in the claims objected to in the Office Action are now overcome, placing the claims in proper order for allowance.

The claims herein amended contain no new matter, and fall completely within the scope of the material set out in the originally filed documents.

**REMARKS RE: CLAIM REJECTIONS UNDER U.S.C. § 112**

**Item #6:** Applicant has amended independent claims 109, 114, 122, and 164, as well as claims 80-86, 93-96, 110-113, 115-121, 123-124, and 165-166 which are dependent thereon, to comply with the enablement requirement under 35 U.S.C. § 112 (1st paragraph).

Specifically, the previous recitation of "A means of . . . , comprising" in the preambles of independent claims 109, 114, 122, and 164 has been corrected to now recite "A system for. . . , comprising."

Support for the term "system" is found in the following citations from the specification:

"The commonality of the hardware assemblies in Figs. 10, 11, 13, and schematically 13A is that they are all closed-loop systems. A powered device accesses its own battery via an external module in order to identify the power device's electrical characteristics, in particular voltage (and perhaps load current)." (Page 34, line 31, to Page 35, line 2)

"This voltage information can be captured by software resident at various locations throughout the system, such as in a processor-enabled adapter or module, or in the powered device itself." (Page 33, lines 27-29)

"The above description is not limiting to those particular elements referenced here by example, but can be any combination of elements that perform equivalent functions to create the system so described." (Page 31, lines 5-8)

Claims dependent upon claims 109, 114, 122, and 164 have accordingly been amended to reflect the above-cited corrected language in the preambles. The preambles of these dependent claims now recite the proper dependency as "The system of claim. . . ." Applicant has further corrected any minor grammatical irregularities resulting from amending these claims in order to overcome the cited dependency-related rejection(s).

Thus, the claim rejections under 35 U.S.C. § 112 (1st paragraph) are now overcome, placing the claims in proper order for allowance.

The claims herein so amended contain no new matter, and fall completely within the scope of the material set out in the originally filed documents.

#### **REMARKS RE: ALLOWABLE SUBJECT MATTER**

**Item #7:** As previously indicated in applicant's response to Item #6 herein, claims 109, 114, 122, and 164 have been amended to overcome the rejection(s) under 35 U.S.C. § 112 (1st paragraph). Claim 122 has also been amended as suggested in Item #5 to overcome the objection to the informality of an improper antecedent for its limitation.

Claims 125 and 167 have also been amended as suggested in Item #5 of the Office Action to overcome the informalities cited therein. Further in Item #5, as previously indicated in applicant's response to Item #4 herein, the specification has been duly amended to disclose the language of these claims which recite "a previously unknown battery-powered device."

Applicant has read and acknowledges the Examiner's statements of reasons for the indications of allowable subject matter for each independent claim 109, 114, 122, 125, 164, and 167.

Thus, the rejection(s) and objections in Item #7 of the Office Action as to allowable subject matter are now overcome, thereby placing the claims in proper order for allowance.

The claims herein amended contain no new matter, and fall completely within the scope of the material set out in the originally filed documents.

#### **REMARKS RE: CONCLUSION**

**Item #8:** Pursuant to 35 CFR 1.113, this response is proper and the amendments presented herein comply with the formal requirements made in the subject Office Action. The Office Action, in particular Item #7 "Allowable Subject Matter," holds that, by applicant amending the claims to overcome the various objections, informalities, and rejections cited throughout the action, the claims would be allowable. By making such corrections in the claims and specification as are indicated herein, applicant's amendments do not touch on the merits of the application.

For all of the above reasons, applicant submits that the specification and claims are now in proper form, and that the claims all define patentability over the prior art. Therefore, applicant submits that this application is now in condition for allowance, which action is respectfully solicited.

#### **Conditional Request For Constructive Assistance**

If, for any reason, this application is not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and

suggestions of the Examiner pursuant to MPEP § 2173.02 and § 707.07(j) in order that applicant can place this application in allowable condition as soon as possible and without the need for further proceedings.

**GENERAL REMARKS**

There are 6 (six) independent claims and 43 (forty-three) dependent pending in this application. These claims are presented here as "currently amended." No fee for new claims is required.

Please acknowledge receipt hereof by stamping and returning the enclosed return postcard.

Applicant is available by phone at (818) 340-7268, or fax at (818) 883-5706.

Enclosed:

Transmittal Form  
Return Postcard

Respectfully Submitted,



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Patrick Potega  
Applicant, Pro Se

7021 Vicky Avenue  
West Hills, CA 91307-2314

Tel: (818) 340-7268  
Fax: (818) 883-5706



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4 APRIL 2005

(Date of Deposit)

PATRICK H. POTEGA

(Name of Applicant, Assignee or Registered Representative)

(Signature)

4 APRIL 2005

(Date)